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Attorneys for Defendant,  
WESTCOR LAND TITLE INSURANCE COMPANY

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

WELLS FARGO BANK, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
MORGAN STANLEY CAPITAL I INC.  
TRUST 2006-HE1, MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2006-HE1,

Plaintiff,

vs.

WESTCOR LAND TITLE INSURANCE  
COMPANY; DOE INDIVIDUALS I through X;  
and ROE CORPORATIONS XI through XX,  
inclusive,

Defendants.

CASE NO.

**PETITION FOR REMOVAL**

PLEASE TAKE NOTICE that Defendant Westcor Land Title Insurance Company (“Defendant”), by and through its attorneys of record, the law firm of MAURICE WOOD, removes this action from the Eighth Judicial District Court, Clark County, Nevada to the United States District Court for the District of Nevada.

Federal jurisdiction exists over this proceeding pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 because there is complete diversity among all of the properly named parties and because the amount in controversy exceeds \$75,000. In support of removal, Defendant states as follows:

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- 1           1.     The basis for removal is diversity of citizenship pursuant to 28 U.S.C. § 1332.
- 2           2.     Complete diversity exists as follows:
- 3               a.    Defendant is a South Carolina corporation, with its principal place of business
- 4                    in the State of Florida. Accordingly, Defendant is considered a citizen of
- 5                    Florida and South Carolina pursuant to 28 U.S.C. §1332(c).
- 6               b.    Plaintiff is a national banking association with its principal place of business in
- 7                    California. See Compl. at ¶ 1. Accordingly, Plaintiff is considered a citizen of
- 8                    California pursuant to 28 U.S.C. §1332(c).
- 9           3.     The amount in controversy exceeds the jurisdictional requirement as follows:
- 10               a.    Plaintiff alleges compensatory damages up to the Amount of Insurance of the
- 11                    Title Policy, which totals \$199,750.00. See Compl. at 25, 29.
- 12               b.    Plaintiff also requests punitive damages, attorneys' fees and costs, and
- 13                    additional statutory damages under NRS 686A.310, NRS 41.600, and NRS
- 14                    598.0915. See id. at 22–25.
- 15           4.     This removal is timely. On February 5, 2021, the Complaint and Summons were
- 16           served via personal service on Defendant's resident agent.
- 17           5.     Accordingly, this Petition for Removal was filed within thirty days from the date
- 18           of Defendant's receipt of the Complaint and Summons under 28 U.S.C. § 1446(b).
- 19           6.     Less than one year has elapsed from the date the action was commenced in state
- 20           court.
- 21           7.     Removal from state court to this Court is proper in this case as this District
- 22           embraces the place where the action is currently pending. See 28 U.S.C. § 1441(a).
- 23           8.     Pursuant to 28 U.S.C. § 1446(a), Westcor has annexed all process and pleadings
- 24           served upon Westcor and the same are attached hereto as **Exhibit 1**.
- 25           9.     Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of the original Petition for
- 26           Removal has been filed concurrently herewith with the Eighth Judicial District Court, Clark
- 27           County, Nevada and served upon the Plaintiff in this case.
- 28

1           10.     This Petition for Removal of Civil Action is signed pursuant to Rule 11 of the  
2 Federal Rules of Civil Procedure. See 28 U.S.C. § 1446(a).

3           DATED this 26<sup>th</sup> day of February, 2021.

4                               **MAURICE WOOD**

5  
6                               By /s/Brittany Wood

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Maurice Wood, and that on the 26<sup>th</sup> day of February, 2021, I caused to be served a true and correct copy of the foregoing **PETITION FOR REMOVAL** in the following manner:

(UNITED STATES MAIL): By depositing a copy of the above-referenced document for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada, to the parties listed below at their last-known mailing addresses, on the date above written:

Darren T. Brenner, Esq.  
Lindsay D. Robbins, Esq.  
Wright, Finlay & Zak LLP  
7785 W. Sahara Ave., Suite 200  
Las Vegas, NV 89117  
*Attorneys for Plaintiff,*  
*Deutsche Bank National Trust Company as Trustee for New Century*  
*Home Equity Loan Trust, Series 2005-D, Asset Backed Pass-Through Certificates*

/s/ Brittany Wood  
An Employee of MAURICE WOOD